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PATENT  
Attorney Docket No.: 021167-000700US

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On June 10, 2004

TOWNSEND and TOWNSEND and CREW LLP

By: Patricia Andrus

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Robert F. Balint, et al.

Application No.: 09/526,106

Filed: March 15, 2000

For: INTERACTION-ACTIVATED  
PROTEINS

Customer No.: 20350

Confirmation No. 9164

Examiner: Epperson, Jon D.

Technology Center/Art Unit: 1639

ELECTION OF SPECIES

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants thank the Examiner for his time in the phone interview of June 9, 2004. In response to Applicants request to clarify the Office Action mailed May 18, 2004, the Examiner explained that Applicants are required to elect a single oligopeptide sequence for the purposes of search only. The Examiner stated, and Applicants agreed, that should no prior art be found that anticipates or renders obvious the elected species, the search will be extended as necessary to determine patentability of the generic species encompassed by claim 63 in accordance with MPEP §803.02.

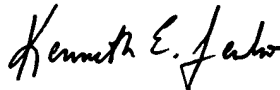
Therefore, in response to the Office Action mailed May 18, 2004, Applicants provisionally elect the oligopeptide of claims 63-66, in which:

- (i) the N-terminal  $\beta$ -lactamase fragment consists of amino acids 26-197;
- (ii) the N-terminal  $\beta$ -lactamase fragment contains the amino acid substitution (c),  
in which a methionine to threonine substitution is present at position 182;
- (iii) the flexible polypeptide linker is (Gly<sub>4</sub>Ser)<sub>3</sub>; and
- (iv) the first interactor domain is c-Fos.

Claims 63-66 are readable on the provisionally elected oligopeptide specified above.

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,



Kenneth E. Jenkins, Ph.D.  
Reg. No. 51,846

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/526,106
	Filing Date	March 15, 2000
	First Named Inventor	Balint, Robert F.
	Art Unit	1639
	Examiner Name	Epperson, Jon D.
Total Number of Pages in This Submission	Attorney Docket Number	021167-000700US

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply Election of Species <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard
<b>Remarks</b> The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Townsend and Townsend and Crew LLP	
	Kenneth E. Jenkins, Ph.D.	Reg. No. 51,846
Signature	<i>Kenneth E. Jenkins</i>	
Date	6/10/04	

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Typed or printed name	Patricia Andrews		
Signature	<i>Patricia Andrews</i>	Date	6/10/2004